

IN THE COURT OF XXIV ADDITIONAL CITY CIVIL & SESSIONS JUDGE,
ALLIKULAM, CHENNAI – 600 003.

Present: Thiru. J.Omprakash, L.L.M, P.G.D.H.R.M.,
XXIV Addl. City Civil & Sessions Judge,
XXIV Addl. City Civil & Sessions Court,
(CBI Cases relating to Banks and Financial Institution Scams)
Allikulam, Chennai – 03.
Saturday, the 20th day of September 2025

C.C. No.12/2024 to CC.No.18/2024

(Split up Cases from Main C.C.No.13/2017 to C.C.No.19/2017

in
R.C.No.44/A/2015

M/s.Sivamathi Animation Software
and Electronics Ltd., Represented by its
Director Mrs.Kanthimathi.

...Petitioner/Accused

-V/s.-

State Rep. By
The Inspector of Police,
CBI, ACB, Chennai.

...Respondent/Complainant

All these Calendar Cases coming on this day before me for final hearing in the presence of M/s.S.Arumugam, K.Selvendran & J.Thomas, Counsels for petitioner and Shri.P.Basheer, Learned Public Prosecutor for Respondent, upon hearing their arguments, upon perusing the records and other connected material papers thereto, this court delivered the following:

COMMON ORDER

Heard both the Petitioner and the learned Public Prosecutor. On perusal of records, it seems that the Respondent / CBI has filed the cases against the petitioner

company and others in C.C.No.13/2017 to C.C.No.19/2017 for various IPC offenses and PC Act offenses before the Hon'ble XI Additional Special Court for CBI Cases, Chennai. Pending the cases, it seems that the Director of petitioner's company namely R.S.Sivaprakasam died and none represented the petitioner's company before the said Court. Therefore, the Hon'ble XI Additional Special Court for CBI Cases, Chennai have split up the cases against the petitioner's company and new C.C.Nos.12/2024 to 18/2024 was assigned to the petitioner's company. As the present court is constituted to deal with the bank fraud cases, the above said Cases were transferred to this Court and the same was pending on the file of this Court.

2. On perusal of records, it seems that apart from deceased R.S.Sivaprakasam, there are other Directors namely Mrs.Kanthimathi, Mr.Dharmalingam and Mr.Kumaravel are all available for the petitioner company. Hence, this Court has issued Notice to the said persons to appear before this court to represent the company. The said notice was served to all the three Directors and they have appeared before this court. It is represented by them that the Director Mrs.Kanthimathi will represent the company. Moreover, the said Mrs.Kanthimathi has also filed a memo praying to club the cases with the main cases. As the company is now represented by a Director, namely Mrs.Kanthimathi and moreover the parent cases has not progressed much therefore, there is no necessity to try the C.C.No.12/2024 to C.C.No.18/2024 separately and hence the present cases are merged with the parent cases namely C.C.No.13/2017 to C.C.No.19/2017.

3. Now a question would arise whether the Court can merge the cases with the parent cases for which this court usefully refer the Judgment of our Hon'ble High Court in *Palanivel Vs. State held as follows :*

.....The petitioner was available before the Court and the trial was under process and there was no reason why the petitioner's case should not have been merged with the main case. This would have saved the time and energy of the Court and by now the petitioner would have known the result of the case.....

4. In the above said Judgment, the Hon'ble High Court has categorically held up that there is no embargo to merge the split up case to the main case. By applying the said Principle in the given cases, the C.C.No.12/2024 to C.C.No.18/2024 is merged with C.C.No.13/2017 to C.C.No.19/2017.

Result:

In the result, the C.C.No.12/2024 to C.C.No.18/2024 is merged with C.C.No.13/2017 to C.C.No.19/2017. The office is directed to restore the name of the petitioner's company said to be represented by its Director Mrs.Kanthimathi in C.C.No.13/2017 to C.C.19/2017 and close C.C.No.12/2024 to C.C.No.18/2024.

Directly dictated to the steno-typist, computerized by her, corrected by me and pronounced by me in the open court this the 20th day of September, 2025.

**XXIV Addl. City Civil & Sessions Judge,
XXIV Addl. City Civil & Sessions Court,
Allikulam, Chennai – 03.**

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Fair

Common Order

in

C.C.No. 12/2024 to C.C.No.18/2024

Dated 20.09.2025

**XXIV Addl. City Civil & Sessions Court,
Allikulam, Chennai – 03.**